

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA**

DAVID MAGERMAN,
Petitioner,

v.

ROBERT MERCER,
Defendant.

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CIVIL ACTION

NO. 17-cv-3490

ORDER

AND NOW, this 2nd day of February, 2018, upon consideration of Defendant's Motion for Rule 11 Sanctions (ECF No. 15), Plaintiff's Memorandum of Law in Opposition thereto (ECF No. 17), Defendant's Reply (ECF No. 20), and Plaintiff's Sur-Reply (ECF No. 23), and for the reasons set forth in the memorandum filed concurrently with this Order, **IT IS HEREBY ORDERED** that:

- (1) Defendant's Motion for Rule 11 Sanctions (ECF No. 15) is **DENIED WITHOUT PREJUDICE.**
- (2) Plaintiff's request for fees and expenses is **DENIED WITHOUT PREJUDICE.**

BY THE COURT:

/s/ Lynne A. Sitarski
LYNNE A. SITARSKI
UNITED STATES MAGISTRATE JUDGE